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Counsel for Defendant
Eric Smith

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: CR 15-041 CRB
)	DEFENDANT SMITH'S AMENDED MOTION
Plaintiff,)	AND DECLARATION OF COUNSEL IN
)	SUPPORT OF MOTION FOR AN ORDER
v.)	PERMITTING DEFENDANT TO LEAVE HIS
)	HOME 3 HOURS A DAY THROUGH JANUARY
ERIC SMITH,)	3, 2017 TO VISIT FRIENDS AND FAMILY AND
)	PROPOSED ORDER
Defendant.)	
)	
)	

TO: The United States of America, Plaintiff, AUSA Michael Maffei, Counsel for Plaintiff and
United States Pretrial Services Officer Anthony Granados.

Defendant Eric Smith, by and through counsel, respectfully moves the Court for an Order
permitting the defendant to leave his home for 3 hours a day through January 3, 2017 in order to
meet with friends and family over the holidays. In support of this motion Richard B. Mazer
declares that:

1. I am counsel of record for Eric Smith in the above captioned case.
2. Mr. Smith is currently on home detention at his mother's residence in San Francisco.
3. On December 9, 2016, I sent an email to Pretrial Services Officer Anthony Granados

1 requesting that Mr. Smith be permitted to leave his home for 3 hours a day from
2 December 19, 2016 through January 3, 2017. A copy of the email is attached as
3 Exhibit "A".

4 4. Not having received a response from Mr. Granados, on December 19, 2016 I sent
5 another email repeating Mr. Smith's request. A copy of the email is attached as
6 Exhibit "B".

7
8 5. On December 19, 2016 Mr. Granados replied "No objection". A copy of the email is
9 attached as Exhibit "C".

10 6. This morning Mr. Smith called me to say Mr. Granados told him that his request
11 required agreement by the prosecutor. I immediately called Mr. Granados who said
12 that he had told Mr. Smith his request required filing a motion with the court and that
13 Pretrial Services has no objection to the request.

14
15 7. After I filed the instant Motion, Mr. Granados called and asked that I add the
16 condition that each visit must be pre-approved by his office to this Motion and the
17 Proposed Order, which I have done.

18
19 I declare under penalty of perjury the foregoing is true and correct. Executed December
20 21, 2017 in San Francisco California.

21
22
23 Dated: December 21, 2016

24 _____/s/_____
25 RICHARD B. MAZER
26
27
28

CONCLUSION

Wherefore Defendant Smith respectfully requests his home detention order be modified as requested above.

Respectfully submitted,

/s/
RICHARD B. MAZER
Counsel for Defendant Eric Smith

~~PROPOSED~~ ORDER

Good cause appearing and upon motion of the Defendant, IT IS HEREBY ORDERED that Defendant Smith's terms of Home Detention are modified to permit him to leave his residence for 3 hours a day thorough January 3, 2017 to visit friends and family. Each Visit must be pre-approved by Pretrial Services. Government has no objection.

Dated: 12/22/2016


United States District Judge

EXHIBIT A



Richard Mazer <richardbmazer@gmail.com>

Eric Smith

Richard Mazer <richardbmazer@gmail.com>

Fri, Dec 9, 2016 at 12:35 PM

To: anthony_granados@canpt.uscourts.gov

Eric called today and asked whether you would agree that
He can be out of the house for 3 hours a day from 12/19/16
Through 1/3/17 so he can visit with friends and relatives.

Please let me know whether this is ok.

Thank you,

Richard

Sent from my iPad

EXHIBIT B



Richard Mazer <richardbmazer@gmail.com>

Eric Smith

Richard Mazer <richardbmazer@gmail.com>
To: Anthony_Granados@canpt.uscourts.gov

Mon, Dec 19, 2016 at 11:58 AM

On December 9, 2016 I emailed a request that Eric could be out of the house for 3 hours a day from 12/19 through 1/3/17 so he can visit with friends and relatives. I have not received a response. I am forwarding the original email. Please let me know as soon as possible so Eric can make his holiday plans. .

Thank you

Richard

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EXHIBIT C



Richard Mazer <richardbmazer@gmail.com>

Eric Smith

Anthony_Granados@canpt.uscourts.gov <Anthony_Granados@canpt.uscourts.gov>
To: Richard Mazer <richardbmazer@gmail.com>

Mon, Dec 19, 2016 at 12:34 PM

I have no objection.

Anthony R. Granados
U.S. Pretrial Services Officer
280 S. First Street Suite 1150
San Jose, CA 95113
Tel: 408-535-5223
Fax: 415-581-7496
Email: anthony_granados@canpt.uscourts.gov
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